



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

February 26, 2008

Mayor Wright called the meeting to order at 7:02 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Lori Verreault, Executive Assistant
Ed Meehan, Town Planner

III AWARDS/PROCLAMATIONS

A 2007 Newington National Little League – Certificate

Mayor Wright invited the team players, coaches and manager forward. He read the certificate as follows:

In recognition of and congratulations to the 2007 Newington National Little League 11 – 12 Year Old All Star Team for winning its District undefeated, its Sectional with only one loss, and placing second in the State Championship games

**Kevin Briganti
Nicholas Briganti
Ryan Callahan
Matthew Dean
Zachary Hedberg
John O'Mara
Jorge Premto
Matthew Ryan
Shane Sawicki**

**Jonathan Silverwatch
Jeremy Wyman
Jim Briganti, Coach
Phil Ryan, Coach
Walt Gwisz, Manager**

Mayor Wright presented certificates to the present players, coaches and manager. He thanked the team for its hard work, noting that it takes a lot of work to succeed at their level. He commented that if the team continues to work hard they will go even further next year.

Team Manager Gwysz stated that the team is made up of tremendous individuals who truly represented the Town of Newington in the best possible way.

Councilor Bottalico stated that the team has gone the furthest in the 59 years of Little League. He noted that they played well as a team, and wished them luck next year. Councilor Boni congratulated the players, coaches and managers, and noted that as a former coach the teams never got nearly as far as this team. He stated that they should feel fortunate and proud that they made it so far, and guaranteed that they will never forget this experience.

Public comment – none.

Mayor Wright again offered his congratulations to the team.

IV PUBLIC PARTICIPATION – IN GENERAL

Everett Weaver – 87 Northwood Road: Mr. Weaver spoke about the pending lease agreement for the affordable senior housing. He stated that while he has not seen the plans he understands that the placement of the building may call for the “Cultural Center” NCTV/Art League building to be torn down. Mr. Weaver stated that while the project may sound simple to most people, moving the NCTV studio would actually be a large undertaking, comparing it to the undertaking of moving the police station operations room from one end of the building to the other. Mr. Weaver stated that while he does not know the exact cost of moving the studio, he estimated that it could be over \$100,000. He stated that they would need to hire outside professionals to do the job as none of the current volunteers have the expertise to do so. Mr. Weaver asked the Council to take the cost into consideration and asked them to be sure that the move be completed correctly. Mr. Weaver also asked about the cost of the housing to the Town beyond the initial construction, which will be done at no cost to the Town. He noted that once the building is complete there will be maintenance costs, plowing, insurance and other costs. Mr. Weaver also expressed concern that the housing units will not be available exclusively to Newington residents and that only a minimal number of Newington residents may benefit from the housing. Mr. Everett commented that he is not against senior housing, but this particular property may have issues and added expenses that he hopes the Council will think through before making any decisions. He again asked the Council to think about costs now, the costs of moving the NCTV studio, and the future costs related to the property.

V CONSIDERATION OF OLD BUSINESS

- A Acceptance of Fire Training Tower Project Building Committee Final Report

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the final report dated January 2008 of the Fire Training Tower Project Building Committee and formally discharges this committee;

BE IT FURTHER RESOLVED:

The Newington Town Council hereby expresses its appreciation to the Chairman and to all the members, past and present, of the Fire Training Tower Project Building Committee for their diligence in providing a first class training facility for the Towns of Newington, Wethersfield and Berlin to replace one which had been destroyed.

Motion seconded by Councilor Bowen. Motion passed 9-0.

- B Affordable, Age-restricted Housing/Lease Option Agreement

Councilor Bottalico moved the following:

WHEREAS, pursuant to Connecticut General Statutes Section 7-148(c)(3)(A), the Town of Newington, as a municipal corporation, has the power to lease real property owned by the Town; and WHEREAS, the Newington Town Council desires to lease municipal property to New Samaritan Corporation under the terms of an Option to Lease for a 2.36 acre parcel of land shown as Parcel "E" on a map entitled "Prepared for Town of Newington Former New Meadow School Property Boundary Survey Cedar Street Newington, Conn. Date: Jan. 20, 1984, Revised 1/21/84, 1/31/84, 5/8/84 and 7/27/84 Scale: 1 in = 80 ft., Alford Associates, Inc., Civil Engineers"; and WHEREAS, the Option to Lease will enable New Samaritan Corporation to obtain a capital advance from the United States Department of Housing and Urban Development (HOD) (HUD) to develop a housing complex for affordable, age restricted housing not to exceed forty (40) units; NOW, THEREFORE, BE IT RESOLVED: That the Newington Town Council hereby approves the Option to Lease between the Town of Newington and New Samaritan Corporation and authorizes the Town Manager to execute the Option to Lease on behalf of the Town.

Motion seconded by Councilor Banach.

Councilor Bowen pointed out that the acronym "HOD" should read "HUD" in the second to last paragraph.

Town Planner Ed Meehan and David Brown of New Samaritan came forward to speak to the Council. Councilor Nasinnyk asked about the process of how to move the building plans to the north part of the property, including the process of obtaining the grants and what those grants will entail. Mr. Meehan gave the following outline of the process:

- The Council will authorize the Town Manager to sign the lease option with New Samaritan
- Spring 2008: New Samaritan will begin to prepare and submit HUD 202 grant application. New Samaritan will work with a group or committee within the Town which will be instrumental in guiding New Samaritan as to how to put its application together
- November 2008: New Samaritan is notified of selection for funding by HUD.
- November 2008: New Samaritan works with the Town Advisory Committee and Town staff to begin to prepare a Project Development Plan
- February 2009: Plan is presented to the Town Council, and if the plan is acceptable to the Council, the Council will make the decision to initiate the 8-24 Referral to the TPZ. The TPZ, at this point, will have the request from the Council to render a report on the leasing of the land for senior housing development, and it will have the developer's site plan, which will include parking, utilities, drainage, architectural elevations, etc. The TPZ will make reports back to the Council on the 8-24 and will also vote on the site plan.
- May 2009: If the TPZ votes positively on the plan, New Samaritan will engage their architect to begin the construction drawings and plan specifications.
- September 2009: New Samaritan submits firm commitment application to HUD
- January 2010: New Samaritan receives HUD commitment and will seek building permits, do bidding and construction pro-formas and select contractors. A ground lease will be issued between the Town and New Samaritan.
- March 2010: HUD loan is negotiated and finalized
- Spring 2010: Construction begins
- June 2011: Occupancy begins

Mr. Meehan stated that parallel to all mentioned above the Town will seek to apply for Small Cities funds for the purpose of making improvements to the existing 26 units of Newington Housing Authority properties, to work with the Housing Authority on its needs, remove the NCTV building, and to build parking on the south end of the property. He stated that the application will be made after the Public Hearing and authorization from the Town Council, likely in April 2008, as the grant deadline is in May 2008. Mr. Meehan stated that the Town should know the results of the applications by early to mid September 2008. He stated that if the Town does receive the funds they would parallel with New Samaritan's HUD application. The Town would then look into architects and engineers to look into the design of the parking lot, repair to the existing 26 units, and removal of the NCTV building. Mr. Meehan stated that they would not want to go forward until the both the TPZ and the Council agree that the building should be constructed on the north part of the property. If that is

the consensus of both parties, then funding through the Small Cities grant will fund removal of the NCTV building. He stated that if the will of the Council and the TPZ is to not push the building north, nothing will be lost and improvements will still be made to the existing building. Mr. Meehan did note, however, that the parking lot cannot be constructed on the southern part of the property if the building is not pushed to the northern part of the property.

Councilor Cohen stated that the initial application to HUD would have to be as presented originally without considering the NCTV move. She asked at what point the application to HUD would need to be changed. Mr. Brown replied that New Samaritan plans to go forward with the initial property plan as requested, and if the Council receives the Small Cities funds and decides that a move to the northerly plan would be appropriate, New Samaritan would with the Council's approval and request go directly to HUD to request the shifting of the site. He stated that the decision is up to HUD, however since it is not a new location but an alteration of existing property lines he feels that HUD would reply favorably. Mr. Brown stated that the schedule as outlined by Mr. Meehan is an accurate and conservative timeline based on the lengthy HUD process.

Mayor Wright asked Mr. Brown to address New Samaritan's role once the building is completed and occupied. Mayor Wright noted public participation comments by a resident who is concerned about long-term maintenance and upkeep costs. Mr. Brown replied that the program, provided by HUD to provide elderly housing is available only to not-for-profit organizations. He stated that the not-for-profit designation creates a special, single-asset entity to own and operate the facility. He stated that a 501-C-3 non-profit organization will be created to be the owner, and it will essentially be an affiliate of New Samaritan. Mr. Brown stated that New Samaritan always works closely with the community, and while it creates and operates the property it will also use a voluntary advisory committee, consisting of area residents, to assist in the application process. Once the project gets to the design phase the committee will be New Samaritan's liaison to the Town and will help to provide information regarding the needs of the site and the community. Once the site is constructed the committee will stand for the community and to be the voice of the residents. Mr. Brown reiterated that total ownership responsibility will rest with New Samaritan, any tenant will have the ability to reach out to not only the Town but to the committee, which will have direct access to New Samaritan. Mr. Brown stated that New Samaritan will manage the property through one of its management agents, and the requirement by HUD to approve the operating budget on an annual basis is accompanied by their commitment to fund the operating difference. He stated that the tenants pay rent, and the difference in the amount taken in as rent and the operating costs is funded by HUD. Councilor Cohen asked how the advisory committee is formed. Mr. Brown replied that it is an entirely private committee, comprised of active and interested parties in the community that would be interested in participating in any of those three capacities. He stated that participation is sought from the neighborhood, the community in general and from those active in elderly issues. Mr. Brown outlined the needs of each phase in regards to the committee:

- Phase I is highly bureaucratic, so people who can assist in making the case for elderly housing and services are needed for the first phase
- Phase II is the design phase, and people involved in the neighborhood as well as those in the design community are needed
- Phase III is the operations phase, people who can represent elderly issues, concerns or services are needed.

Councilor Bowen requested that residents on Welles Drive be included in the advisory committee. He also stated that the general recommendation from the Council is going to be to have the building located on the north part of the property and asked for an estimate of the cost and needs through the Small Cities grant to pay for the location. He stated that he believes that many of the Councilors would have greater support for the project if they were assured that the building would be placed on the northerly site. He suggested that the northerly location be included on the site plan and rather than waiting for the Small Cities grant to come in before creating the site plan. He stated that in the event of the grant funds being held up, it may become too late for New Samaritan to go to HUD to ask for a change in the site plan, and asked whether it would make sense to start the site plan now. Mr. Meehan replied that the site plan process is done fairly quickly. He stated that if the Town finds out in September 2008 that it has not received the Small Cities grant and if it is the will of the Council to go with the northerly location, New Samaritan can go back to HUD with the plans to move the site north. If approved by HUD their professionals would design the building on the north end of the property, but the Town would have to come up with some funding to remove the NCTV building. He stated that an estimate of the cost to remove the NCTV building will be available in April. Councilor Bowen stated that the Council can make a decision whether or not it would like to go with the northern site once it

receives that estimate. He stated that the Council may wish to move to the northern site even without the Small Cities grant, and reiterated that he would not want for Mr. Brown to go to HUD too late to change the plan. He stated that the Age-Restricted Housing Committee has been very supportive of moving the building to the northerly location.

Councilor Bowen asked who has ownership of the current senior housing. Mr. Meehan replied that it is owned by the Newington Housing Authority. Councilor Bowen asked why Newington Housing Authority is not performing maintenance on the current buildings to some degree. Mr. Meehan replied that while he cannot answer that question he knows that all local housing authorities are required to file CHFA capital needs plan, which identifies major capital components that are eligible for Small Cities grants. He stated that approximately \$125,000 - \$150,000 can be put into the application towards improvements to the existing housing units. Councilor Bowen stated that he has the sense that the Housing Authority has a pretty good balance in their account, and if the current buildings are not being adequately maintained the funds should come from the Housing Authority's budget and they should be held accountable. He stated that having the Town apply for a grant to do the Housing Authority's work is not the proper way to do things, and requested to find out who is supposed to maintain the current buildings and to make sure that proper authority is paying for the maintenance on an ongoing basis.

Councilor Bowen also asked whether part of the Small Cities grant will cover the cost of moving the NCTV building. Town Manager Salomone replied that the grant will probably cover physically moving the equipment, but that the disassembling and reassembling of the equipment is likely not grant-eligible. Town Manager Salomone stated that he will check to be sure of that.

Councilor Cohen remarked that since 1985 when the land was first deeded to the Housing Authority, and 1988 when the north wing of the New Meadow School (plus additional construction) was turned into the 26 units, the Housing Authority has failed over and over to get additional funding. She stated that not too long ago the Council decided to take over, and she is happy to see that the Town is finally moving forward with the second parcel and is looking forward to the start of construction.

Councilor Nasinnyk remarked that the project has been looked at by many sides and she feels comfortable that the project will be workable for Newington seniors. She stated that while not all tenants will be Newington residents she feels that most people do stay in their areas and that most of the housing will be filled with Newington residents. She thanked Mr. Meehan and Mr. Brown for their hard work. Councilor Nasinnyk remarked that the comfort level is much higher than it was a year ago, thanked the Welles Drive neighbors for their diligence and courtesy regarding the project, and stated that their input will be valuable going forward. Councilor Nasinnyk stated that she too is looking forward to moving forward with the project.

Councilor Nagel concurred with Councilors Nasinnyk and Cohen, and expressed appreciation of Councilor Bowen's input to help clarify not only how the project is to go forward but also to alleviate some of the fears regarding funding and costs to the Town. He stated his only question is regarding the expense of moving the NCTV equipment to its future facility. Councilor Bottalico asked whether expertise from Cox Cable can be used to move the NCTV equipment. Councilor Bowen replied that NCTV is currently in dispute with Cox Cable over getting some work done, and based on information from previous NCTV meetings the only expertise that NCTV feels it can rely on is itself. Councilor Bowen stated that he gets the sense that there are capabilities within the Town, and assured NCTV that if it should be moved the process will be completed with care and to the satisfaction of the group. Councilor Nasinnyk noted that the same goes for the Art League.

Councilor Boni asked why the number one option for the Town is to move the building north when doing so creates other problems. He noted that there is parking currently on the south end of the lot. He asked if a delay would occur as a result of submitting and then changing the plan. Town Manager Salomone replied that it is up to the Council to actually determine if the northerly location is the best option. He stated that the timing works well with the grant, and the Town will know well in advance of making final commitments with HUD to be able to either keep the building in the original spot or move it north to the location of the NCTV building. Town Manager Salomone stated that the project works either way, and in some opinions, including his own, it works better in the northerly location because it opens up the area and gives a buffer to the residential area. He stated that it will be all the better if the grant can pay for the northerly location then. He stated that it does not have to be complicated, and if it gets to the point that it will be an impediment to the 202 then the Town can go to the original plan.

Mayor Wright thanked the members of the Affordable, Age-Restricted Housing Committee, Councilor's Cohen, Nasinnyk and Nagel, Bhupen Patel, and Colleen Kornichcuk for their hard work on the Committee as well as those who previously served on the Committee. He stated that their hard work resulted in great things to address the needs of the Town and the Town's seniors. Mayor Wright stated that up to forty units of senior housing will become available while improving the area, all without cost to the Town. He stated that he is looking forward to the Town's relationship with New Samaritan. Councilor Nasinnyk added the names of the previous Committee members: Sheldon Sones, Michele Camerota and Maureen Klett.

Motion passed 9-0.

C Strawberry Lane Acceptance – Set Date for Public Hearing

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council will hold a Public Hearing on Tuesday, March 11, 2008, at 6:55 p.m. regarding the acceptance of Strawberry Lane as a Town road.

Motion seconded by Councilor Nasinnyk.

Councilor Boni inquired about item number five on the memorandum from Mr. Meehan to Town Manager Salomone regarding the Strawberry Lane public street acceptance referral report. Mr. Meehan replied that he was notified by the Town Attorney via email that the court case was withdrawn concerning the attachment to the bond by the lien holder and the issue has been resolved.

Motion passed 9-0.

V CONSIDERATION OF NEW BUSINESS

A No Confidence Vote – William DiBella, MDC

Deputy Mayor Lenares moved the following:

**RESOLUTION OF NO CONFIDENCE
IN MDC CHAIRMAN WILLIAM A. DIBELLA**

BE IT RESOLVED:

That the Town of Newington, as a Member Municipal Corporation of the Metropolitan District Commission community, hereby declares it has no confidence on the leadership of Chairman William A. DiBella. The Town of Newington, through its Council, opines that Mr. DiBella's adverse jury verdict regarding State Pension Funds exemplifies the reasons for which Mr. DiBella should not be at the helm of a 2.1 billion dollar bonded reconstruction project and urges other member Towns to join Newington in its censoring of Chairman DiBella.

Councilor Bowen stated that as a point of order, this item is on the agenda as New Business and that while the Council can discuss the issue no resolution should be read unless the Council intends to vote on the item. Town Manager Salomone stated that the Council would need to waive the rules in order to vote on the item, and that the resolution should not be read if the Town does not intend to vote on the item.

Deputy Mayor Lenares withdrew the resolution.

Mayor Wright stated that he requested that the item be on the agenda, and stated as a Commissioner to the MDC he feels it is an important issue as the MDC moves forward with a multi-billion dollar clean water project. He stated that the issue has been ongoing since last May when a jury ruled on Mr. DiBella's involvement in taking a \$374,000 finder's fee in connection with State pension funds. He stated that as the Town goes forward as a member town of the MDC, he believes that it is the responsibility of the Town's leaders to take a position on this issue. He stated that the issue has been brought up a number of times by the Commissioners, but the voters do not have a direct say in the representation of the MDC, and since he has taken office as Mayor he

has received a large number of calls, emails and letters from residents who are outraged with the fact that Mr. DiBella remains the Chairman of the MDC. Mayor Wright asked for the resolution to be discussed during the current meeting and voted on during the next meeting.

Councilor Cohen commented that while she does not disagree with Mayor Wright, she does not see how a no-confidence vote will accomplish anything. She expressed concern with not only Mr. DiBella's involvement regarding the legal actions but also with his involvement with the bidding processes. Councilor Cohen expressed concern that Mr. DiBella's actions in paying favorites with bids could result in a lawsuit with the MDC. She stated that any resolution should mention concern with Mr. DiBella going forward with unethical, illegal activities. She stated concern that the powers that be at MDC seem to think that his past issues do not affect his ability to perform his functions going forward. Mayor Wright agreed with Councilor Cohen's concerns and suggestion.

Councilor Bowen started that he does not support this resolution. He stated that his opinion was not made in support of Mr. DiBella. Councilor Bowen stated that in his six years on that he has been on the Council they have tried to keep politics out of the body. He stated that it has been very well documented that Mayor Wright has no confidence in Mr. DiBella, noting that Mayor Wright has been quoted as such several times in the newspaper. Councilor Bowen stated opinion that it is more of a personal or political vendetta, and that the no confidence vote will not accomplish anything. Councilor Bowen also stated that Mayor Wright sits on a board which about a month ago supported Mr. DiBella through a bipartisan vote. Councilor Bowen stated that while he does not support Mr. DiBella he is concerned that statewide politics are being brought into the Council chamber. He stated that the only thing a no confidence vote would accomplish would be to satisfy some politicians in Hartford who would like to see Mr. DiBella sanctioned, and stated again that he does not want to see those types of politics in the Council chambers. Councilor Bowen stated that it would be acceptable to ask the Town's appointed members of the MDC to come forward to explain their vote. Councilor Bowen asked how many members are appointed by the Governor. Mayor Wright replied that the Governor has one appointee from the Town of Newington, and that appointee is himself. He stated that the Governor appoints a total of eight members, all of whom did vote against Chairman DiBella. Councilor Bowen replied that that is the reason why he feels that the vote is political. Councilor Bowen stated that his understanding is that the vote was 17-11 in favor of supporting Mr. DiBella, and that he assumes that if he had the same information as the Commissioners he would probably vote the same way they voted. Councilor Bowen stated he does not believe that the Council should involve itself in politics, and this issue is 90% politics and 10% substance.

Councilor Banach asked about the Chairman's tenure. Mayor Wright replied that it is a two-year term; Mr. DiBella's term will end in January 2010.

Mayor Wright stated that too many towns have remained silent on this important issue, and as leaders the Council must take a stand. He stated that the issue with the bond and bids will cost taxpayers and ratepayers more money. Mayor Wright stated that the Town's share of the expense could be over \$200,000,000 over the next fifteen years. He commented that it is not a state-wide issue; it is an issue of the eight member towns of the MDC. Mayor Wright stated that he will look into Councilor Cohen's suggestions regarding the resolution.

Councilor Banach asked if the Mayor is aware of any sentiment in area member towns regarding this resolution. Mayor Wright replied that there will be a caucus on the issue on Friday, 2/29/08, but he believes that there is such sentiment, and he believes that more towns will begin to step up to the issue.

Deputy Mayor Lenares asked whether it will ultimately be up to the MDC Commission to remove Mr. DiBella if the member towns decide on a no-confidence vote at the upcoming caucus. Mayor Wright applied that it is up to the Commission to remove Mr. DiBella. He also stated that the judge will hand down the imposition of the verdict on Mr. DiBella's legal issues on March 5, 2008.

B Handicapped Accessibility Code Corrections at Newington High School

Town Manager Salomone stated that he received correspondence from Superintendent Perlini concerning various projects at Newington High School. Town Manager Salomone noted that the projects are related to the compliance report issued by the Office of Civil Rights (OCR Report) on October 12, 2007. He requested that at its next meeting the Council authorizes the Superintendent of Schools to file a grant application with the State for the project. Town Manager Salomone added that a building committee would have to be established to move forward with the design and preparation. Mayor Wright asked whether an existing building committee can cover the project. Town Manager Salomone replied that he will research and get back with an answer.

Councilor Bowen stated that the current Field House Committee will be considering these changes, and asked whether the project involves changes to the field house only or to the field house and the high school. Town Manager Salomone replied that the project applies to both the field house and the high school. Councilor Bowen stated that the current Field House Committee is not empowered to do work at the high school. Councilor Bowen also expressed concern that no one from the Board of Education or the Superintendent's office is on hand to explain the details of the report and project. Board of Education member Sharon Braverman was present in the audience and she stated that the Board had only discussed the item for a short time and not in great detail, so she does not have any further information at this time.

Town Manager Salomone stated that the majority of the OCR corrections involve the field house. He stated that the Superintendent was given a copy of the meeting agenda and may be present for the Council's vote.

Councilor Cohen remarked that she had never seen a request for a building project that did not include specifics and dollar amounts. She asked what the Superintendent is asking for, what kind of grant is being pursued. Town Manager Salomone stated that the attached memorandum does not include specific figures. Mayor Wright remarked that the Council has already partially funded the expansion. Town Manager Salomone concurred and elaborated that a share of the cost has been funded through the CIP and that the other share is in fundraising mode. He stated that the grant will allow the project to be supplemented without additional fundraising.

Councilor Bottalico agreed with Councilor Cohen that the item should not be considered or discussed without including any dollar value. Councilor Boni stated confusion over his receipt of two memos, both dated 2/17/08 to Town Manager Salomone from Dr. Perlini, the second of which is different in that it states that the project will be funded by two different initiatives. He also stated that it does not seem like there is enough information available for the Council to move forward.

Town Manager Salomone suggested that the Council table the discussion and to request the Board of Education to attend the next meeting to discuss the item.

Councilor Cohen stated that she believes that the reason for the request may be to cover what has already been done for the project.

Councilor Banach requested that the Board of Education provide a breakout of what needs to be done in the various locations in terms of the project. Deputy Mayor Lenares requested that the discussion be tabled until such time that Dr. Perilini and members of the Building Committee can brief the Council on the issue. He stated that the Committee completed a complete OCR review, and that the scope of the project goes beyond just the high school and the field house. Deputy Mayor Lenares stated that the project will be a lengthy process. Town Manager Salomone replied that he will invite involved parties to the next Council meeting for discussion.

Mayor Wright requested that the Council table the discussion at the next meeting. The Councilors voted 9-0 to table the discussion. Councilor Cohen stated that no vote is necessary to table the discussion.

C Easement Request – Little Brook Park

Town Manager Salomone stated that the request was made a number of years ago by a Rocky Hill property owner, and the request was not approved at that time. He stated that the gentleman has again requested an easement to tie into a six inch lateral into the MDC manhole in Little Brook Park. He stated that the Council will consider referring the request to the TPZ for consideration and review.

Councilor Banach asked if this item would put the Town of Newington at risk for any liability. Town Manager Salomone replied that he does not believe so, but noted that there was concern by the last Council that placing an easement into a park could restrict potential development to the park. He stated that it is a Good Samaritan type of situation, and there is little actual benefit to the Town. Town Manager Salomone stated that the owner would bear responsibility for the maintenance of the lateral into Rocky Hill.

Councilor Nasinnyk asked what the resident is doing now. Town Manager Salomone replied that the request is in regards to what it is currently vacant land, and there is probably an existing septic system for the adjacent existing house.

Councilor Cohen asked what would happen if the owner fails to maintain the lateral. Town Manager Salomone replied that the MDC would take over the lateral as part of its system. Deputy Mayor Lenares stated that it is the homeowner's lateral, and if it were to fail or crack it would be up to the homeowner to fix it. Town Manager Salomone stated that he is ambivalent on the item, and included it as a reciprocating item. He stated that if the Town is going to do this it would need to construct the easement in such a way that will guard the Town from future problems.

D Request for Naming of Town Owned Property and Features

Town Manager Salomone stated that there has been a standing subcommittee established to review requests for naming Town owned property using guidelines established by the previous Council. He stated that the request on the table was received last August or earlier, and requested that the item be referred to the subcommittee for review.

Mayor Wright noted that Councilors Banach, Cohen and Lenares are members of the subcommittee. Councilor Cohen stated that the subcommittee should meet as needed, and stated that it will also be receiving another request soon. Mayor Wright asked the subcommittee to meet to review the request.

E Parks and Grounds Building Committee

Town Manager Salomone stated that the Parks and Grounds Project Building Committee was established about twenty years ago, and completed its work back in 1991. He stated that the Committee has not been active in a number of years, and asked the Council to consider dissolving the Committee.

Councilor Cohen commented that there are several building committees still in existence that have long since completed their work and are inactive.

VIII RESIGNATIONS AND APPOINTMENTS

A Greater Hartford Transit District
1 Acknowledge Resignation of David Nagel

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of David Nagel from the Greater Hartford Transit District.

Motion seconded by Councilor Bowen.

Councilor Nagel explained that the reason for his resignation is in the interest of someone in the Democratic Party who wishes to serve on the District. He stated that the District has existing Republican representation and that his resignation has nothing to do with an unwillingness to serve.

Motion passed 9-0.

2 Appoint a Replacement

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

Greater Hartford Transit District

2 members, 4 year term
Party Max.: 2
Remaining members: 1 Rep.

Name	Address	Party	Term	Replaces
Kevin Chick	34 Cortland Way	D	IMMED.-11/30/09	(David Nagel res.)

Motion seconded by Councilor Bowen. Motion passed 9-0.

B Appointments to Other Boards and Commissions

Councilor Bowen moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointments:

8. Board of Ethics

7 members, 2 alternates, 4 year term
 Party Max. (Reg. members): 2 Rep., 2 Dem., 3 Unaf.
 Remaining members: 2 Rep., 1 Unaf.
 Alternates: 1 Dem., 1 Rep.

Name	Address	Party	Term	Replaces
			IMMED.-11/30/08	Pat Lavery (<i>de facto</i> 11-30-96)
			IMMED.-11/30/09	John Walker (<i>de facto</i> 11/30/05)
Brie Johnston	129 Glenview Drive	D	IMMED.-11/30/08	Vacant (R. Newbold res. 12/3/08)

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

VIII TAX REFUNDS

Councilor Bowen moved the following:

RESOLVED:

That property tax refunds in the amount of \$7,930.50 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

IX MINUTES OF PREVIOUS MEETINGS

A Regular Meeting, February 12, 2008

Councilor Cohen moved to accept the minutes of the Regular Meeting, February 12, 2008.

Councilor Boni asked if there was any resolution to the dispute between Cox Cable and NCTV as outlined in section VIII of the 2/12/08 minutes. Town Manager Salomone replied that there has been no resolution at this time. Councilor Bowen stated that it is a complicated matter which has been ongoing for a long period of time.

Motion seconded by Councilor Nagel. Motion passed 9-0.

X WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

Town Manager Salomone stated that he spoke at a State Legislature Public Hearing on bill 5646, which is an act concerning volunteer service by paid emergency personnel and paid firefighters. He stated that this has been spearheaded by Rep. Nafis regarding the provision in the Hartford contract which prohibits paid firefighters from the City of Hartford to continue as volunteer firefighters in communities in which they reside. Town Manager Salomone commented that he and Rep. Nafis are cautiously optimistic for a favorable outcome. Town Manager Salomone stated that the Town would lose a few firefighters that are paid members in Hartford, and to lose them would be difficult.

Town Manager Salomone commented on the Town's new webpage, which has received positive feedback since its inception on February 15, 2008.

Town Manager Salomone commented on regional government's success in receiving about 5.3 million of the 8.6 million dollars available through regional grants for inter-local cooperation among communities. He stated that the bulk of the funds are for information technology or public safety related. He stated that they did not receive grant funds for equipment sharing, but did receive funds for a combined accident safety investigation team and for the building of a regional training facility including an indoor firing range. Town Manager Salomone noted that the region received about 65% of its requested funding, and stated hope that the program will continue with additional funding.

Councilor Bottalico inquired about police overtime, and noted that the overtime figures in the Town Manager's report do not add up – the total should read \$1,026,655. He also stated that the SRO overtime figure is a typo. He also expressed concern over the up and down of the overtime costs. Town Manager Salomone replied that he will look into the typos. He stated that there are several reasons for the varying overtime costs including:

- Injuries or illnesses in which the officer would need to be covered while out
- Holidays – January included some holidays, and holidays usually entail overtime
- Major incidents and weather incidents which would cause officers being held for overtime

Town Manager Salomone stated that there will be natural ups and downs to overtime levels due to items beyond the Town's control. Councilor Bottalico projected, using current figures that the overtime for the year will cost the Town about \$1,016,600 for the year. Town Manager Salomone replied that he thinks the number will be lower than Councilor Bottalico's projection. Councilor Bottalico asked whether new officer's training shifts counts towards overtime. Town Manager Salomone replied that the new officers do not acquire overtime while they are in training, and do not acquire overtime until they are assigned to their own shift.

Councilor Boni welcomed Lisa Rydecki, who recently began employment as the Town's new Deputy Finance Director. He also asked about the interest as reported on page three. He asked why interest percent has gone down, but the interest dollar amount has gone up. Town Manager Salomone replied that both the cash flow and the interest rate determine yield on the return, and that the cash flow has increased due to taxes due in January.

Councilor Boni noted a discrepancy in the number of weather related events and the snow accumulation as reported by the Highway department and the Parks and Grounds Department. Town Manager Salomone remarked that measuring snow is a rather unscientific area, and that the number of snow in inches does not necessarily correlate to the number of responses for sanding, etc.

Councilor Bowen noted the \$1000 spent for snow removal from the cemetery (page one of the report) and asked if the cemetery was self-funded. Town Manager Salomone replied that it is self-funded and that the amount is charged back and the Town is reimbursed for the expenses.

Councilor Bowen stated that interest income is an important part of the Town's budget and requested that a column be added to the report to indicate whether projections are on track. Town Manager Salomone agreed.

Councilor Bowen remarked that he is impressed with Tanya Lane, Town Clerk's office, because despite decrease in transfers there is an increase in revenue. Town Manager Salomone replied that there were some corporate transfers that took place with high conveyance fees.

Councilor Bowen noted an increase in larceny and theft, both in number and in value (page six of the report). He also asked whether the Town is paying for the training of the four Assistant Fire Marshals (page seven of

the report). Town Manager Salomone replied that the Town pays for part of it and the State reimburses the Town for part of it. He stated that he will get back to Councilor Bowen with specifics.

Councilor Cohen also noted the discrepancy in the report in the number of snow responses between that the Highway Department and the Parks and Grounds Department.

Councilor Nagel asked whether there is a record of if the crimes listed in the report were committed by residents or non-residents. Town Manager Salomone replied that arrest records would contain the addresses of the offenders.

Councilor Nagel asked for the URL of the new Town website. Town Manager Salomone replied that it is www.newingtonct.gov. Mayor Wright noted that the Town email addresses follow the first initial, last name @ newingtonct.gov format. (Example: jwright@newingtonct.gov)

XI COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Bottalico reported on his meeting with the Employee Insurance and Pension Benefits Committee. He stated that the meeting brought about good news. Councilor Bowen elaborated that the cost for Town health and pension benefits will decrease by approximately 2% and the cost will increase only about 3% for the Board of Education. Councilor Bowen stated that the Town has historically seen an increase of about 7-12% in these costs over the past several years. He stated that the decrease is due to the fact that the employees have had excellent experience in seeking benefits and are keeping healthy, which has lowered long-term cost for the product and also due to the new contract negotiated by the Town Manager. Councilor Bowen also stated that so far this year the Town is running about \$100,000 behind expectations and the Board of Education is running about \$500,000 to \$600,000 behind expectations in cost.

Councilor Cohen reported that the Joint Committee on Community Safety has contacted the Library and the Chamber of Commerce regarding safety concerns.

Councilor Nagel reported that there will be a CRCOG meeting on February 27, 2008 in which the issue of planning options for the Fenn/Cedar intersection will be on the agenda.

XII PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Drive: Ms. Lyons stated that she is glad to see that the Council is going forward with the senior housing project, and hopes that the process will be simpler than the current process involving the Housing Authority. She relayed her past experience in obtaining information about the housing application process, and remarked that she was quite taken aback by the way she was treated by a member of the Housing Authority. Ms. Lyons stated that she had requested information on the points system as discussed at a past Council meeting and was told that it was too complicated to discuss over the telephone and the system was explained only due to her persistence. Ms. Lyons was also told that she didn't sound like she was sixty years, and she was falsely accused of being a Welles Drive resident who is opposed to the program. Ms. Lyons stated that she contacted the Mayor, Human Services and the Housing Authority and no one could tell her whom the man she spoke to was accountable to, so she gave up. Ms. Lyons stated that two weeks before her 62nd birthday she called again for an application and was told that she could not receive any information until she turned 62, and was told by the man on the phone that he did not care how politically connected she was she would not get the information until she turned 62. Ms. Lyons stated that she is a Probate Court employee. She commented that she hopes that New Samaritan will have a better rapport with prospective residents. She also expressed concern over the safety of the path area around the Senior Center, and hoped that the Council will take into consideration the Joint Committee on Community Safety's recommendations regarding the path. Ms. Lyons stated that prior to New Samaritan taking over the Town needs to have some accountability for the path area, the Senior Center and the current senior housing.

Sharon Braverman, 39 Churchill Way: Ms. Braverman stated that she is the Board of Education liaison to the Town Council and she will be sure to relay the Council's comments concerning the high school's handicapped accessibility issues back to the Board at its meeting on Wednesday, February 27, 2008, and will relay the Council's invitation to the Board to come to a Council meeting to discuss the item.

XIII REMARKS BY COUNCILORS

Councilor Bottalico commented about the property in back of St. Mary's School, and commented that he had the impression, based on a meeting with Parks and Recreations Department, that the Police Department has tried to pass the area off to the Parks and Recreations Department to try to make a park out of the area. He stated that something needs to be done with the area. Councilor Nasinnyk stated that the Safety Committee has also had a discussion regarding the area and gave kudos to Ms. Lyons who has been a valuable participant and supporter of the Safety Committee. Mayor Wright asked who is responsible for the pathway area. Town Manager Salomone replied that the area is Town property, and that the police would respond to any incident warranting a response in the area. Town Manager Salomone also stated that while there have been discussions about opening up the area to make it more accessible there has been no formal request to make the area into a park. Mayor Wright asked who would be responsible for cleaning up the area. Town Manager Salomone replied that the area has been cleaned up on occasion, but is somewhat overgrown, and its location across the street from NHS has made the area conducive to certain off-campus activities.

Councilor Bowen also thanked Ms. Lyons for her comments, and asked Town Manager Salomone to give the Council a report on the Housing Authority, specifically who they are and to whom they report. He noted that while the Housing Authority is comprised of some very good people he feels that responses such as the ones received by Ms. Lyons are uncalled-for.

Councilor Bowen also stated that the area behind St. Mary's needs to be addressed and it needs to be coordinated with NHS. He recalled an incident in which a resident contacted the SRO, the school and the school security staff, and the only person who did anything about the resident's concern was the school secretary. Councilor Cohen replied that Sgt. Allen, in conjunction with the Safety Committee and a number of volunteers, will be coming to the Council with a suggestion that the area is named in memory of Officer McDermott and that the area will receive respect due to the name involved and how much Officer McDermott was loved by the students. Councilor Cohen stated that in the meantime a group of volunteers have been involved with maintaining the area and that the area has not been neglected. Councilor Bottalico stated that the item was brought to the Parks and Recreations meeting and they don't have the answer either. (Note: Councilor Bottalico exact comments not clear on the tape.) Mayor Wright stated that it is a big issue that must be addressed. He stated that now is the time of year to clean up brush and perhaps raise the canopy to allow more light into the area. Mayor Wright stated that he has heard concerns from many different areas and it is time to take action.

XIII EXECUTIVE SESSION, RE: PERSONNEL AND LITIGATION

Councilor Bowen moved to go into Executive Session, re: Personnel and Litigation at 9:02pm.

Motion seconded by Councilor Cohen. Motion passed 9-0. All Councilors, Mayor Wright and Town Manager Salomone were in attendance.

Councilor Bowen moved to go out of Executive Session at 9:35pm.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

XIV ADJOURNMENT

Councilor Bowen moved to adjourn the meeting at 9:36pm.

Motion seconded by Councilor Bowen. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council

